

Jeffery J. Carlson (SBN: 60752)  
CarlsonJ@cmtlaw.com  
J. Grace Felipe (SBN: 190893)  
Felipeg@cmtlaw.com  
**CARLSON & MESSER LLP**  
5959 West Century Boulevard, Suite 1214  
Los Angeles, California 90045  
Telephone: (310) 242-2200  
Facsimile: (310) 242-2222

Attorneys for Defendant  
KUBLER CORPORATION dba  
ALTERNATIVE RECOVERY MANAGEMENT

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

**GARY DUBOIS**, an individual,  
and **KELLY DUBOIS**, an  
individual,

Plaintiffs,

vs.

**ALTERNATIVE RECOVERY  
MANAGEMENT**, an unknown  
business entity; and **DOES 1**  
through 10 inclusive,

Defendant.

Case No.

**NOTICE OF REMOVAL**

Defendant KUBLER CORPORATION dba ALTERNATIVE RECOVERY  
MANAGEMENT hereby files this notice of removal under 28 U.S.C. §1446(a).

**I. INTRODUCTION**

1. The parties to this action are Plaintiffs, GARY DUBOIS and KELLY DUBOIS (“Plaintiffs”), and Defendant, KUBLER CORPORATION dba ALTERNATIVE RECOVERY MANAGEMENT (“Defendant”).

1           2.     Upon information and belief, Plaintiffs filed this case on July 20,  
2     2015, in the Superior Court of California, County of Riverside, Case No.  
3     RIC1508496. A true and correct copy of Plaintiffs' Summons and Complaint is  
4     attached hereto as Exhibit "A."

5  
6           3.     On or about July 30, 2015, Plaintiffs left the Summons and a copy of  
7     Plaintiffs' Complaint, Certificate of Counsel and Civil Cover Sheet (a true and  
8     correct copy of which are collectively attached hereto as Exhibit "A") at  
9     Defendant's former place of business.  
10

11           4.     As Plaintiffs attempted to serve the Complaint on July 30, 2015,  
12     Defendant files this notice of removal within the 30-day time period required by  
13     28 U.S.C. §1446(b), and as extended via *Federal Rule of Civil Procedure* 6. See  
14     *Wells v. Gateways Hosp. & Mental Health Ctr.*, 1996 U.S. App. LEXIS 2287 at  
15     \*2 (9<sup>th</sup> Cir. Cal. Jan. 30, 1966).  
16  
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## 18                               **II. BASIS FOR REMOVAL**

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20           5.     Removal is proper because Plaintiffs' Complaint involves a federal  
21     question. 28 U.S.C. §§1331, 1441(b); *Long v. Bando Mfg. of Am., Inc.*, 201 F.3d  
22     754, 757-58 (6th Cir. 2000); *Peters v. Union Pac. R.R.*, 80 F.3d 257, 260 (8th  
23     Cir. 1996). Specifically, Plaintiffs have alleged claims that arise under 15 U.S.C.  
24     § 1692, *et seq.* for alleged violations of the Fair Debt Collection Practices Act.  
25     It is therefore an action of which this Court has original jurisdiction under 28  
26     U.S.C. § 1331, and may be removed to this Court by Defendant pursuant to the  
27  
28

{00036746;1}

1 provisions of 28 U.S.C. § 1441(a). This Court also has supplemental jurisdiction  
2 over Plaintiffs' state claims pursuant to 28 U.S.C. § 1367.

3 6. Venue is proper in this district under 28 U.S.C. §1441(a) because this  
4 district and division embrace the place where the removed action has been  
5 pending.  
6

7 7. Defendant will promptly file a copy of this notice of removal with the  
8 clerk of the state court where the action has been pending.  
9

10 **III. JURY DEMAND**

11 8. Plaintiffs demand a jury in the state court action. Defendant also  
12 demands a jury trial.  
13

14 **IV. CONCLUSION**

15 9. Defendant respectfully requests removal of this action as it involves  
16 a Federal question under the Fair Debt Collection Practices Act, 15 U.S.C.  
17 §1692.  
18  
19

20 Dated: August 31, 2015

**Carlson & Messer LLP**

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22  
23 By: /s/ J. Grace Felipe  
Jeffery J. Carlson  
J. Grace Felipe  
Attorneys for Defendant  
KUBLER CORPORATION dba  
ALTERNATIVE RECOVERY  
MANAGEMENT  
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